



DEPARTMENT OF TRANSPORTATION

[4910-EX-P]

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2016-0038]

Qualification of Drivers; Exemption Applications; Diabetes

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice of denials.

SUMMARY: FMCSA announces its denial of 78 applications from individuals who requested an exemption from the Federal diabetes standard applicable to interstate truck and bus drivers and the reasons for the denials. FMCSA has statutory authority to exempt individuals from the diabetes requirement if the exemptions granted will not compromise safety. The Agency has concluded that granting these exemptions does not provide a level of safety that will be equivalent to, or greater than, the level of safety maintained without the exemptions for these commercial motor vehicle (CMV) drivers.

FOR FURTHER INFORMATION CONTACT: Christine A. Hydock, Chief, Medical Programs Division, (202) 366-4001, fmcsamedical@dot.gov, FMCSA, Department of Transportation, 1200 New Jersey Avenue, SE, Room W64-113, Washington, DC 20590-0001. Office hours are 8:30 a.m. to 5 P.M., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the Federal diabetes standard for a renewable 2-year period if it finds “such an exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that

would be achieved absent such an exemption.” The procedures for requesting an exemption are set forth in 49 CFR part 381.

Accordingly, FMCSA evaluated 78 individual exemption requests on their merits and made a determination that these applicants do not satisfy the criteria eligibility or meet the terms and conditions of the Federal exemption program. Each applicant has, prior to this notice, received a letter of final disposition on the exemption request. Those decision letters fully outlined the basis for the denial and constitute final Agency action. The list published in this notice summarizes the Agency’s recent denials as required under 49 U.S.C. 31315(b)(4) by periodically publishing names and reasons for denial.

The following applicant, Robert A. Pettella, withdrew his application from the application process.

The following 12 applicants met the diabetes requirements of 49 CFR 391.41(b)(3) and do not need an exemption:

Reuben T. Askew	Steven E. Eastburn	Quinzell Faison
James Griffin	Bayram A. Kabakci	John C. Lasbury
James M. Moore	Saul N. Morales	Jaime S. Ortiz
Curtis W. Stanley	Eric A. Williams	Allen T. Wooten

The following 21 applicants were not operating CMVs in interstate commerce:

Felipe H. Abrego	Michael D. Adamson	Daniel J. Arena, Jr.
David R. Brooks, Jr.	Roger L. Harper	Gary T. Hedrick
Raymond Honaker	Shaun F. Hutchinson	Sondra R. Jones
Kevin M. Kurpiewski	Randy Lamb	James P. Moran
Jesse L. Mumford	Jason M. Palermo	John J. Raley II
Leonard F. Robinson	Donald G. Ross, Jr.	Tracy A. Rowland
Rachelle M. Seaver	Robert Taylor	Robert Webb

The following 3 applicants had renal insufficiency:

Harold J. Bowen, Jr.	Robert A. Rye	John J. Steele
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The following 7 applicants had more than one hypoglycemic episode requiring hospitalization or the assistance of others, or had one such episode but not had one year of stability following the episode:

Timothy W. Adams	Robert A. Beaty	Andrew S. Crawford
Jesse J.D. Graber	Ryan B. Silva	Jimmy R. Toton
Deborah C. Williams		

The following 9 applicants had other medical conditions making the applicant otherwise unqualified under the Federal Motor Carrier Safety Regulations:

Nader M. Abdelrahman	Richard G. Baker	Patrick L. Beasley
John T. Brecken	Robert E. Davis	Marlin L. Gabbard
Marvin D. Mitchell	David W. Presby	Darrel J. Shafer

The following applicant, Tina M. M. Kent, was unable to have an endocrinologist state the applicant is able to operate a CMV from a diabetes standpoint.

The following applicant, Henry G. E. Martinez, currently resides in Puerto Rico. He is not eligible because a Federal exemption is for drivers operating only in the United States.

The following 3 applicants did not meet the minimum age criteria outlined in 49 CFR 391.41(b)(1) which states that an individual must be at least 21 years old to operate a CMV in interstate commerce:

Ervin L. Fulton, Jr.	Henry G. McGinnis	Samuel J. Opatz
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The following 19 applicants were excepted from the diabetes standard based on 49 CFR390.3(f):

Brian K. Aldrich	Christopher A. Ball	John A. Bowman
Wilbert A. Cummings, Jr.	Larry W. Davlin	Theodore J. Hargraves
Erick B. Hobson	Stanley Holiday, Jr.	Mark J. Huselstein
Wesley T. Johnson	Robert R. Martinez	Robert S. Mendoza
Arbra M. Patton	Vincent Randle	Robert J. Stepien
Franklin T. Sult	Calvin R. Williams	Melissa F. Williams
Ronald D. Williams		

Issued on: June 13, 2016

Larry W. Minor
Associate Administrator for Policy

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